THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.16581 of 1999

ORAL ORDER:

The petitioners who claim to have been in possession of Ac.5.00 land each situated in Sy.No.144, situated at Pusugudem village, Mulakalapalli Mandal, Khammam District, since more than 30 years, filed this writ petition seeking a declaration that the notice issued by the 3rd respondent-Mandal Revenue Officer, dated 11.6.1999 as arbitrary, illegal and, consequentially, to direct the respondents not to interfere with their possession and enjoyment of the land in question.

It is pleaded in the affidavit filed in support of the writ petition that the eviction proceedings initiated earlier under the provisions of the A.P. Scheduled Areas Land Transfer Regulation, 1959, at the instance of the 4th respondent herein, alleging that the petitioners were in illegal occupation, were disallowed after due enquiry. In spite of the same, the 3rd respondent issued the impugned notices calling upon the petitioners to attend to his Office along with documents relating to the land in their occupation. The said notice was challenged in this writ petition contending *inter alia* that the impugned notice, which cannot be traced to any statutory provision, is without jurisdiction and is liable to be set aside on that ground alone.

A counter affidavit has been filed by the Mandal Revenue Officer stating that the land in Sy.No.144 is a Government land, out of which possession of 4.00 was taken over under a panchanama dated 25.6.199 and that the 4th respondent was granted a patta on 16.7.1999.

Be that as it may, since under the impugned notice the petitioners were asked to appear before the 3rd respondent and produce the documents to substantiate their claim in respect of the land in question and no adverse order as such has been passed, the

writ petition is premature and the interference by this Court at this stage is not warranted.

Accordingly, I deem it appropriate to dispose of the writ petition leaving it open to the 3rd respondent to take appropriate steps in accordance with law after giving an opportunity to the petitioners to make their representations. However, it is made clear that *status quo* obtaining as on today as to the possession of the land in question shall be maintained until appropriate orders are passed by the 3rd respondent following due process of law. No costs.

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(G. ROHINI, J).

13th June, 2007.
Kgr

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.16581 OF 1999

13th June, 2007.

Between:

Bandaru Pedda Kotaiah and another. ..
Petitioners.

And

The District Collector,
Khammam and others. .. Respondents.